
The City of Traverse City

Office of the Clerk

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4480
tcclerk@ci.traverse-city.mi.us



Dear Transient Merchant:

Subject: Application for Transient Merchant License

Thank you for your interest in adding to our community by selling your articles, goods, or food items to our citizens.

Enclosed is a Transient Merchant License Application packet which must be completed in its entirety in order to offer or sell articles to purchasers, or taking orders for sale of goods, foodstuffs, or services of any kind. Please familiarize yourself with, and adhere to both the enclosed *Guidelines for Transient Merchants* and the Traverse City Code of Ordinances Chapter 863 Transient Merchants which can be viewed in its entirety at <http://www.ci.traverse-city.mi.us/code/863.pdf>.

For required documentation, please refer to the enclosed *Checklist for Transient Merchant's License* for the required documentation for submission with your application. Once your application and all required documents have been received, the City Clerk's Office will obtain approvals from the appropriate departments and agencies. If you will be operating in a residential area, a 72-hour processing period is required for the purpose of a background check. Once all departments have approved your request, the City Clerk's Office will issue you a formal ***Transient Merchant Permit and Identification Badge***.

We hope this information is helpful! The City of Traverse City looks forward to working with you to compliment the living experience in Traverse City! Should you have any questions, please feel free to contact anyone in the City Clerk's Office at (231) 922-4480 or contact Kim Lautner, Registration/Licensing Clerk at klautner@traversecitymi.gov.

Most Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Marentette", is written over a light blue circular stamp.

Benjamin C. Marentette, CMC
City Clerk



The undersigned, declares the following: that he/she wishes to be permitted to perform the operation, service or act stated hereon; that the statements made above are true and correct to the best of his/her knowledge and belief; that

he/she will comply with all provisions of the ordinances of the city of Traverse City relative to the operation, service or act for which the license is requested; that he/she agrees to hold the city of Traverse City free and harmless from all liability which may be imposed upon it and to reimburse the city of Traverse City for all expenses of litigation in connection with the defense of claims as such liability and claims may arise because of negligence in the performance of the work or act for which the license was issued.

The undersigned understands that vending is not permitted in City Parks including the water area of the parks, and acknowledges that he/she has received a copy of the rules for vending.

The fee is \$50.00 per month in Residential areas/\$100.00 per week September 15 to May 15 and \$100 per day May 16 to September 14 in Commercial areas. (Cash or money orders only)

The applicant acknowledges that the City may be required from time to time to release records in its possession. The applicant hereby gives permission to the City to release any records or materials received by the City from the applicant as it may be requested to do so as permitted by the Freedom of Information Act, MCL 15.231 et seq.

Date: _____

Signature of Applicant

Approved and Fee paid \$ _____

If Residential:

City Clerk's office Representative

Date

Captain Ayling

Date

****If at a fixed location, forward a copy of application to Capt. Mike Sheets, Fire Marshal**

City of Traverse City
Office of the City Clerk
400 Boardman Avenue, Traverse City, MI 49684
231.922.4480 (Office), 231.922.4485 (Fax)
www.ci.traverse-city.mi.us
tcclerk@ci.traverse-city.mi.us

CHECKLIST FOR TRANSIENT MERCHANT'S LICENSE

THE FOLLOWING IS NEEDED BEFORE A TRANSIENT MERCHANT LICENSE WILL BE ISSUED

- _____ 1. Location to be used (See Guidelines for Transient Merchants). If at a fixed location, written permission from the commercial private property owner may be required. If location is not in C-4 (Central Business District), you must have a site plan approved by the by the Zoning Administrator. If using a sign, must obtain a sign permit from City Planning and Zoning Administrator. If in the Residential area, there is a 72- hour processing period. **New starting July 15, 2011: Transient Merchant's setting up a structure in the C-4 District shall not leave the structure unattended for a period of more than 2 hours; and the structure must be removed between the hours of 12 a.m. and 6 a.m.**
- _____ 2. A copy of your Michigan Sales Tax License. If you do not have one, you must first go to the Michigan Department of Treasury, 701 S. Elmwood, between 8am and 12pm, Monday through Friday, (231) 922-5230.
- _____ 3. A copy of your Health Department Permit if you are selling food products for immediate consumption that were NOT packaged by the manufacturer. Contact Grand Traverse County Health Department, 2650 LaFranier Road, between 8am and 4:30pm, Monday through Friday, (231) 995-6051. Or if fresh meats, frozen foods, etc. contact the Michigan Department of Agriculture and Rural Development, at (800)292-3939.
- _____ 4. A passport size photo (2" X 2") of front facial view. (Must be an original color photo, no photocopies.)
- _____ 5. Transient Merchant Non-DDA Residential Areas
 - \$50/month
All Other Transient Merchants May 16 through Sept. 14
 - \$100/day
All Other Transient Merchants Sept. 15 through May 15
 - \$100/calendar week
- _____ 6. Once you have completed steps 1 - 5, bring in the completed application and attachments to obtain your Transient Merchant's license to the City Clerk's office, 400 Boardman Avenue, between 8am and 5pm, Monday through Friday, (231) 922-4480; closed Memorial Day, 4th of July and Labor Day.

If you are planning to pick up a license for anyone working with you, you must supply all information as required by this Checklist for each person.

Refunds shall be approved for process upon request of licensee for any whole days or whole months remaining of licensed period. No partial day or partial month refunds shall be approved. Fees may only be refunded if the license is canceled **in person** with the City Clerk's Office at least the day before cancellation is sought. Refunds shall be paid by check and will take approximately two (2) weeks to process.

GUIDELINES FOR TRANSIENT MERCHANTS

Proof of License. When this office receives a completed application, with all attachments required, this office will then issue a City of Traverse City License and Identification Badge. The Identification Badge shall be in position at all times while selling merchandise. This badge alone serves as proof of License.

Vending of any kind is **not permitted** in City Parks including the water area of the Park. Vending is not allowed in or on the water adjacent to public beaches. This is considered part of the parks to be used for recreational purposes.

No Transient Merchant shall conduct any vending during a City Commission-authorized event, such as Friday Night Live, Art Fairs or the National Cherry Festival, unless authorization is obtained from the agency sponsoring such City Commission-authorized event. For National Cherry Festival parades, children are allowed to vend on sidewalks only; no license is required.

A Michigan Sales Tax License is required for all Transient Merchants, exceptions permitted only by the Michigan Department of Treasury.

Michigan Health Department approval is required for any sale of food or beverages for immediate consumption that are NOT packaged by the manufacturer. The Department of Agriculture approval is required for any sale of fresh meat or frozen foods not intended for immediate consumption.

Duties:

1. Transient Merchants must:
 - A. Immediately and peacefully depart from premises when requested.
 - B. Identify him/herself and the name of the organization they represent.
 - C. Reveal all information contained on the application.
2. Transient Merchants must not:
 - A. Vend upon a premise in defiance of a posted notice stating "No Solicitors or Transient Merchants",
"No Transient Merchants" or "No Solicitors."
 - B. Approach drivers of motor vehicles.
 - C. Approach customers in stores without store manager permission.
 - D. Touch people physically while making sales.
 - E. **New beginning July 15, 2011: Shall not solicit on public property within an area equal to one Traverse City block from a city-authorized event, including street fairs, public festivals, and farmer's markets, except with the permission of the event sponsor.**

Residential Area:

1. No vending prior to 9:00 am or after 9:00 pm or sunset whichever is earlier on any weekday or Saturday; or at any time on a Sunday, New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day

or Christmas Day.

2. No Transient Merchant license shall be issued until a processing period of seventy-two hours has elapsed for proper investigation by the Traverse City Police Chief.

Walking Transient Merchants:

1. Must carry goods upon his/her person. No pushcarts or wagons are allowed in commercial areas.
2. Are permitted on City sidewalks except in City parks and beaches. Shall keep moving - stopping only to make sales - shall not draw crowds.
3. EACH Transient Merchant shall complete an application and pay the fee.
4. Shall have the identification badge displayed in the front torso area.

Transient Merchants working from Stands:

1. Shall receive written permission from a commercial property owner to use his/her premises. This cannot be done on any City property which includes City sidewalks and streets. Stands cannot be set up in residential areas. Stands situated on corners must be set back far enough to meet "Clear Vision Area" requirements. A site plan must be approved by the Zoning Administrator and attached if not in C-4 (Central Business District). **New starting July 15, 2011: Transient Merchants setting up a structure in the C-4 District shall not leave the structure unattended for a period of more than 2 hours; and the structure must be removed between 12 a.m. and 6 a.m.**
2. The owner is required to fill out one (1) application per stand and pay fee per stand.
3. The badge shall be displayed on a conspicuous place on the exterior front of the stand visible by customers. (Individuals working at the stand need not have an identification badge.)
4. The owner shall have a sign permit issued by the City Planning and Zoning Administrator if a sign is used to advertise merchandise offered for sale from a fixed location.

Pushcarts, Pedal Carts or Motor Vehicles:

1. Pushcarts are allowed on residential sidewalks only. Pedal carts are allowed on residential sidewalks only and on all City streets in accordance with the Michigan Vehicle Code.
2. Motor Vehicle Transient Merchants are permitted on all City streets. Shall keep moving - stopping at the curb only to make sales - shall not draw crowds – customers must not be in the roadway - must not obstruct other traffic. Motor vehicles as defined by the Michigan Vehicle Code means any licensed motor vehicle such as a truck, car, motorcycle, moped.
3. Any Transient Merchant using a motor vehicle or pedal cart in a street, when stopped, shall place the vehicle parallel to and within twelve inches of the curb and shall depart from such place as soon as the sale has been completed.